

E-filing

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 ARLENE THOMPSON and  
 6 DONNA JEREZ

**FILED**

OCT 14 2005

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

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 8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
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 12 ARLENE THOMPSON and  
 13 DONNA JEREZ,

14 Plaintiffs,

15 v.

16 GENENTECH, INC.,

17 Defendant.  
 18

**CASE No. C04-03272 MJJ [ECF]**

Case filed: 08/11/04  
 Trial date: 11/28/05

**PLAINTIFFS' APPLICATION TO  
 FILE REPLY TO DEFENDANT'S  
 RESPONSE TO PLAINTIFFS'  
 MOTIONS TO STRIKE MOTION FOR  
 PARTIAL SUMMARY JUDGMENT  
 FROM THE RECORD; [PROPOSED]  
 ORDER**

Date: 10/18/05  
 Time: 9:30 a.m.  
 Location: Courtroom 11

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 C04-03272 MJJ [ECF] – Plaintiffs' Application to File Reply to Defendant's Response to Plaintiffs' Motions to Strike  
 Motion for Partial Summary Judgment from the Record; Order

1 Plaintiffs apply to the Court for permission to file a brief and Declarations replying to  
2 Defendant's Response to Plaintiff[s'] Objection[s] and Motion[s] to Strike Motion[s] for Partial  
3 Summary Judgment.

4 This situation, where a summary judgment motion is filed while the moving party is in  
5 violation of an Order compelling discovery, is new to Plaintiff's counsel. We are within fourteen  
6 days of the noticed hearing, and Plaintiffs are uncertain as to what rules apply.

7 Respectfully submitted,

8 Dated: 10/06/05

MAYO & ROGERS

9  
10 By: /s/

RICHARD M. ROGERS  
Attorneys for Plaintiff

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12 IT IS SO ORDERED. The Application is GRANTED.

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14 Dated: 10/14/2005

By: 

JUDGE OF THE U.S. DISTRICT COURT